PTO/SB/21 (04-07)
Approved for use through 09/30/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE tion of information unless it displays a valid OMB control number. Under the Paperwork Reduction Act of 1995, no persons are required to respond **Application Number** 10/071.978 TRANSMITTAL Filing Date 02/06/2002 First Named Inventor **FORM** Eric E. Swayze Art Unit **Examiner Name** (to be used for all correspondence after initial filing) Attorney Docket Number IBIS-0028US Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC Amendment/Reply Petition (Appeal Notice, Brief, Reply Brief) Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Identify Terminal Disclaimer Extension of Time Request below): Certificate of Correction Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Isis Pharmaceuticals, Inc. Signature Printed name Robert S. Andrews Date Reg. No. 44,508 7-26-07 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Typed or printed name

Date

Page 1 of 11

PATENT NO.

: 7,244,847

APPLICATION NO.: 10/071,978

ISSUE DATE

: 07/17/2007

INVENTOR(S)

Eric E. Swayze et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

1) Title Page:

Item [54], Title, please insert --Novel-- before "Benzimidazole";

- 2) Item [56], References Cited, OTHER PUBLICATIONS, "Freter" reference, please delete "n-(4idolylpiperidinoalkyl)" and insert therefor --n-(4-indolylpiperidinoalkyl)--;
- 3) "Fonguerna" reference, please delete "Capluse" and insert therefor -- Caplus--;
- 4) "Agai" reference, please delete "1,3,5,-triazepines, III" and insert therefor --1,3,5,-triazepines. III.--;
- 5) Column 61, Claim 1, lines 14-18, please delete

: " 
$$Q_1$$
  $Q_2$   $Q_3$   $N$   $N$  and insert therefor

$$-\begin{array}{c|c} R_3 & N & NH \\ \hline - & N & NH \\ R_1 & R_1 & NH \end{array}$$

- 6) Column 61, Claim 1, line 22, please insert --alkyl,-- between "is" and "aryl,";
- 7) Column 61, Claim 1, line 25, please delete "-R<sub>9</sub>-X-R<sub>10</sub>-R<sub>11</sub>)H;" and insert therefor ---R<sub>9</sub>-X-R<sub>10</sub>-(R<sub>11</sub>)H;--;
- 8) Column 61, Claim 1, line 32, please delete ";" and insert therefor --,--;
- 9) Column 61, Claim 1, line 49, please delete "heteroaryl," and insert therefor --heteroaryl or --;

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Isis Pharmaceuticals, Inc.

1896 Rutherford Rd.

Carlsbad, CA 92008

Page 2 of 11

PATENT NO.

: 7,244,847

APPLICATION NO.: 10/071,978

ISSUE DATE

: 07/17/2007

INVENTOR(S)

Eric E. Swayze et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

- 10) Column 61, Claim 1, line 50, please delete "hereteroaryl" and insert therefor --heteroaryl--;
- 11) Column 61, Claim 1, line 52, please delete "," and insert therefor --:--:
- 12) Column 61, Claim 1, line 54, please delete ";" and insert therefor --,--;
- 13) Column 61, Claim 1, line 58, please delete "," after "-C(=O)-NH-heteroarylcarbonyl";
- 14) Column 61, Claim 1, line 61, please delete "," after "cycloalkylaminocarbonyl";
- 15) Column 62, Claim 1, line 3, please delete "," after "alkylheteroaryl";
- 16) Column 62, Claim 1, line 12, please delete "," after both "heteroaryl":
- 17) Column 62, Claim 1, line 26, please delete "," after "arylcarbonyl";
- 18) Column 62, Claim 1, line 26, please delete the second "and" and insert therefor --or--;
- 19) Column 62, Claim 1, lines 36-37, please delete ", or a group of Formula I at position R<sub>1</sub> thereof";
- 20) Column 62, Claim 1, line 39, please delete "group" and insert therefor --radical of a compound--;
- 21) Column 62, Claim 1, line 40, please delete "nitrogen atom is Q4" and insert therefor --radical is R1--:

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Isis Pharmaceuticals, Inc. 1896 Rutherford Rd. Carlsbad, CA 92008

VA 22313-1450.

Page 3 of 11

PATENT NO.

: 7,244,847

APPLICATION NO.: 10/071,978

ISSUE DATE

: 07/17/2007

INVENTOR(S)

Eric E. Swayze et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

22) Column 63, Claim 10, lines 39-43, please delete

insert therefor --

23) Column 63, Claim 10, lines 58-66, please delete

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Isis Pharmaceuticals, Inc. 1896 Rutherford Rd.

Carlsbad, CA 92008

Page <u>4</u> of <u>11</u>

PATENT NO.

: 7,244,847

APPLICATION NO.: 10/071,978

ISSUE DATE

: 07/17/2007

INVENTOR(S)

Eric E. Swayze et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

24) Column 64, Claim 10, lines 1-11, please delete "

- 25) Column 64, Claim 12, line 15, please delete ",";
- 26) Column 64, Claim 15, line 24, please delete ",";
- 27) Column 64, Claim 16, line 36, please delete "selected from" and insert therefor --substituted with--;

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Isis Pharmaceuticals, Inc.

1896 Rutherford Rd.

Carlsbad, CA 92008

Page <u>5</u> of <u>11</u>

" and

PATENT NO.

: 7,244,847

APPLICATION NO.: 10/071,978

ISSUE DATE

: 07/17/2007

INVENTOR(S)

Eric E. Swayze et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

" and insert therefor

28) Column 64, Claim 17, lines 45-55, please delete "

29) Column 65, Claim 17, lines 1-13, please delete "

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Isis Pharmaceuticals, Inc.

1896 Rutherford Rd.

Carlsbad, CA 92008

Page 6 of 11

PATENT NO.

: 7,244,847

APPLICATION NO.: 10/071,978

ISSUE DATE

: 07/17/2007

INVENTOR(S)

Eric E. Swayze et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

30) Column 65, Claim 17, lines 25-66, please delete "

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Isis Pharmaceuticals, Inc. 1896 Rutherford Rd. Carlsbad, CA 92008

Page \_ 7 \_ of \_ 11

PATENT NO.

: 7,244,847

APPLICATION NO.: 10/071,978

ISSUE DATE

: 07/17/2007

INVENTOR(S)

Eric E. Swayze et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Isis Pharmaceuticals, Inc. 1896 Rutherford Rd.

(H<sub>3</sub>C)<sub>2</sub>HC

Carlsbad, CA 92008

Page <u>8</u> of <u>11</u>

PATENT NO.

: 7,244,847

APPLICATION NO.: 10/071,978

ISSUE DATE

: 07/17/2007

INVENTOR(S)

Eric E. Swayze et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

31) Column 66, Claim 17, lines 1-19, please delete '

and insert therefor -- 
$$\begin{array}{c} SO_2 \\ S\\ N-N \\ O\\ H_3C \end{array}$$

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Isis Pharmaceuticals, Inc. 1896 Rutherford Rd. Carlsbad, CA 92008

Page 9 of 11

PATENT NO.

: 7,244,847

APPLICATION NO.: 10/071,978

ISSUE DATE

: 07/17/2007

INVENTOR(S)

Eric E. Swayze et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

32) Column 66, Claim 18, lines 32-47, please delete "

and insert therefor --

 $NO_2$ 

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Isis Pharmaceuticals, Inc. 1896 Rutherford Rd. Carlsbad, CA 92008

Page \_\_10\_\_ of \_\_11\_\_

PATENT NO.

: 7,244,847

APPLICATION NO.: 10/071,978

ISSUE DATE

: 07/17/2007

INVENTOR(S)

Eric E. Swayze et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

33) Column 66, Claim 18, lines 57-66, please delete

and insert therefor --

34) Column 67, Claim 20, line 17, please delete "Nsuccinimidyl" and insert therefor -- N-succinimidyl--;

35) Column 67, Claim 20, line 20, please delete ";" and insert therefor --,--;

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Isis Pharmaceuticals, Inc. 1896 Rutherford Rd. Carlsbad, CA 92008

Page 11 of 11

PATENT NO.

: 7,244,847

APPLICATION NO.: 10/071,978

ISSUE DATE

: 07/17/2007

INVENTOR(S)

Eric E. Swayze et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

36) Column 67, Claim 21, lines 24-30, please delete

$$R_{5}$$
 and insert therefor

(R'16)(R'15)N

- 37) Column 68, Claim 21, lines 7-8, please delete "can form a succinimido or phthalimido" and insert therefor --form a N-succinimidyl, N-phthalimidyl, N-maleimidyl, N-napthalimidyl, N-pyromellitic diimidyl, Nbenzopyrrolidinyl or N-benzimidazol-l-yl--;
- 38) Column 68, claim 21, line 8, please delete "or a fused ring derivative thereof,";
- 39) Column 68, Claim 21, lines 9-10, please delete "succinimido or phthalimido" and "or fused ring derivative thereof".

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Isis Pharmaceuticals, Inc. 1896 Rutherford Rd. Carlsbad, CA 92008